







I MINA'BENTE OCHO NA LIHESLATURAN GUÅHAN
2005 (FIRST) Regular Session

Bill No. 204 (EC)

Introduced by:

L.A. Leon Guerrero 
J.T. Won Pat 
R.J. Respicio 
B.J.F. Cruz 
A.B. Palacios, Sr. 
F.B. Aguon, Jr. 

AN ACT TO RESTORE AUTHORITY TO THE CIVIL SERVICE COMMISSION AS IT EXISTED PRIOR TO THE ENACTMENT OF PUBLIC LAW 28-68, BY REPEALING SECTIONS 31-48 OF CHAPTER IV OF P.L. 28-68 AND REENACTING 4 GCA 4403,1114, 4101, 4102, 4105,4108, 4109.3, 4114, 4117, 4408, AND 5 GCA 20108 AND 36105.

BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. Legislative Findings and Intent. *I Liheslaturan Guahan*

finds that the recent passage of Public law 28-68, which removed Civil Service Commission authority over certain executive branch personnel matters, potentially sabotaged over 40 years of progress implementation of the merit system for government of Guam employees without notice for input from experts, employees, agency personnel, or any stakeholders of our community. The resulting fragmented review system diminishes classified government of Guam employee protection, by placing the functions of auditing pay equity, creating positions, determining qualifications, applicant ratings and testing, detailing of employees, and reviewing said actions for compliance to law, in the hands of a single government agency. The lack of independent review of hiring and employment complaints creates conflicts of interest and potential reversion to abusive or politically motivated employment practices within the Executive Branch.

1 Therefore, it is the intent of *I Liheslatura* to restore the authority to the
2 Civil Service Commission by repealing Sections 31 through 48 of Chapter IV,
3 Miscellaneous Provisions, of Public Law 28-68 and reenacting 4 GCA 4403,
4 1114, 4101, 4102, 4105, 4108, 4109.3, 4114, 4117, 4408 and 5 GCA 20108 and
5 36105. Further, *I Liheslatura* intends to allow due process and to avoid the
6 appearance of ambush or retaliation by allowing all government employees, the
7 affected agency directors, and the public to be heard prior to legislative
8 reorganization of the merit system and Civil Service Commission.

9 **Section 2. Repeal.** Sections 31 through 48 of Chapter IV of Public Law
10 28-68 are hereby repealed and of no effect as of the date of enactment, except
11 as provided herein, and the acts of the Civil Service Commission between said
12 enactment and the present are not affected by its enactment. The provisions of
13 4 GCA 4403, 1114, 4101, 4102, 4105, 4108, 4109.3, 4114, 4408, 5 GCA 20108
14 and 36105, as they existed prior to the enactment of Public Law 28-68 are
15 hereby reenacted retroactive to September 30, 2005.

16 **Section 3.** The Civil Service Commission shall convene a sub-
17 committee specifically to review the internal processes of the Civil Service
18 Commission and submit a detailed report to the Speaker of the *I Liheslaturan*
19 *Guahan* no later than ninety (90) days from the enactment of this Act on
20 recommendations for improvement of policies, procedures and standards to the
21 Civil Service Commission.

22 **Section 4. Severability.** If any of the provisions of this Act or the
23 application thereof to any person or circumstance is held invalid, such invalidity
24 shall not affect any other provision or application of this Act which can be
25 given effect without the invalid provision or application, and to this end the
26 provisions of this Act are severable.